

EXHIBIT 5

***REDACTED VERSION
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EXHIBIT 5

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN FRANCISCO DIVISION
4 Case No. 17-cv-00939-WHA

5 -----x
6 WAYMO LLC,
7 Plaintiff,
8 - against -
9 UBER TECHNOLOGIES, INC.; OTTOMOTTO, LLC;
10 OTTO TRUCKING LLC,
11 Defendants.
12 -----x

13
14 HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY
15

16 Videotaped 30(b)(6) Deposition
17 of GARY BROWN, taken by Defendants, held
18 at the offices of Morrison & Foerster LLP,
250 West 55th Street, at 9:59 a.m. on August
19 8, 2017, New York, New York, before Jineen
Pavesi, a Registered Professional Reporter,
20 Registered Merit Reporter, Certified Realtime
Reporter and Notary Public of the State of New York.

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23
24 Job No. 2671217A
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1 position and we will just leave it at 01:57:40PM
2 that. 01:57:41PM
3 MR. BAKER: Okay, we obviously 01:57:41PM
4 disagree and we have determined during the 01:57:43PM
5 break that there is information on those 01:57:50PM
6 pages that is privileged and work product 01:57:52PM
7 and so we'll be clawing those back. 01:57:55PM
8 MS. GOODMAN: Okay; you have 01:58:02PM
9 waived privilege, that's our position, and 01:58:03PM
10 I will leave it at that. 01:58:05PM
11 You stated your position twice, 01:58:06PM
12 I stated my position twice and we're done. 01:58:08PM
13 MR. BAKER: I will just say I 01:58:10PM
14 disagree. 01:58:11PM
15 EXAMINATION (Continued) 01:58:11PM
16 BY MS. GOODMAN: 01:58:16PM
17 Q. Mr. Brown, when did Mr. [REDACTED] 01:58:16PM
18 tell you that Anthony Levandowski 01:58:18PM
19 downloaded 14,000 files? 01:58:20PM
20 A. I think sometime between August 01:58:28PM
21 and October 2016. 01:58:32PM
22 Q. That's your best recollection 01:58:36PM
23 sitting here today of when you learned 01:58:37PM
24 Anthony Levandowski downloaded 14,000 01:58:42PM
25 files? 01:58:44PM